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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,320	07/18/2003	Junichi Kobayashi	032915-0137	2544

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EXAMINER	
DAO, MINH D	

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 05/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/621,320	KOBAYASHI ET AL.	
	Examiner	Art Unit	
	MINH D. DAO	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Avello et al. (US 2003/0191646) in view of House (US 2004/0021351).

Regarding claim 1, D'Avello teaches a telematics communication system for a mobile platform, comprising: a wireless communicator for wirelessly communicating with a service provider (see figs. 1,2; sections [0013-0016]); and a controller electrically coupled to the wireless communicator (see fig. 2; section [0016], item 204), wherein the controller is adapted to perform the following for a wireless connection from the mobile platform to the service provider: to determine whether the wireless connection is a hands-free phone call or an integrated voice recognition (IVR) call (see figs. 4-7; sections [0019-0021]); and to select an IVR filter based on the wireless connection determination to filter a voice signal for the wireless connection with the selected filter (see sections [0027-0028]). However, D'Avello does not mention a use of a phone call filter to filter a voice signal for the wireless connection with the selected filter. House, in

an analogous art, teaches a use of a filter in a telematics system to control noise hence to enhance the telematics audio in a vehicle (see sections [0038-0039]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the above teaching of House to D'Avello in order for the combined system of D'Avello and House to effectively attenuate the noise level that degrades the audio intelligibility of vehicle's telematics system as taught by House.

Regarding claim 2, the combination of D'Avello and House teaches the telematics communication system of claim 1, wherein the mobile platform comprises an automobile (see D'Avello, figs. 1, 2; sections [0013-0015]).

Regarding claim 3, the combination of D'Avello and House teaches the telematics communication system of claim 1, wherein the wireless communicator comprises at least one of a radio transmitter/receiver, a cellular transmitter/receiver, and a satellite transmitter/receiver (see D'Avello, fig. 2, item 230; section [0017]).

Regarding claim 4, the combination of D'Avello and House teaches the telematics communication system of claim 1, wherein the controller is further adapted to perform the following at least upon termination of the wireless connection from the mobile platform to the service provider: to determine whether a subsequent wireless connection is required; to determine whether any subsequent wireless connection is a phone call or an IVR call (see D'Avello, sections [0027-0029]); to select one of the phone call filter

and the IVR filter based on the subsequent wireless connection determination; and to filter a voice signal for the subsequent wireless connection with the subsequently selected filter (see D'Avello, sections [0027-0029]; also see House sections [0038-0039]).

Regarding claim 5, the combination of D'Avello and House teaches the telematics communication system of claim 1, wherein the controller is further adapted: to determine whether a tilter adjustment is required; and if filter adjustment is required, to change a filter parameter of the selected filter (see D'Avello, section [0027]).

Regarding claim 6, the combination of D'Avello and House teaches the telematics communication system of claim 5, wherein the filter parameter comprises one of a noise cancellation ratio, an echo cancellation ratio, a talking volume adjustment, and a filter slope (see D'Avello, section [0027]).

Regarding claim 7, the combination of D'Avello and House teaches the telematics communication system of claim 1, wherein the controller is further adapted: to determine whether a filter adjustment is required; and if filter adjustment is required, to select a subsequent filter, and wherein the controller filters the wireless connection with the subsequent filter (see D'Avello, fig. 7; sections [0027-0028]).

Regarding claim 8, the claim includes the limitations as that of claim 1, and therefore is interpreted and rejected for the same reason stated in the rejection of claim 1.

Regarding claim 9, the combination of D'Avello and House teaches the method of claim 8, further comprising: initiating the wireless connection from the mobile platform to the server (see D'Avello, fig. 1; sections [0013-0014]).

Regarding claim 10, even though the combination of D'Avello and House does not mention transmitting a user identification (ID) to the server; and verifying the user identification (ID) on the server, it conventionally well known in the art of wireless communication that a mobile terminal needs to communicate its overhead information (identification) through the control channel with a server and also needs to be permitted to register with the server in order to set up a call though the server.

Regarding claim 11, the claim includes the limitations as that of claim 2, and therefore is interpreted and rejected for the same reason stated in the rejection of claim 2.

Regarding claim 12, the claim includes the limitations as that of claim 3, and therefore is interpreted and rejected for the same reason stated in the rejection of claim 3.

Regarding claim 13, the claim includes the limitations as that of claim 4, and therefore is interpreted and rejected for the same reason stated in the rejection of claim 4.

Regarding claim 14, the claim includes the limitations as that of claim 5, and therefore is interpreted and rejected for the same reason stated in the rejection of claim 5.

Regarding claim 15, the claim includes the limitations as that of claim 6, and therefore is interpreted and rejected for the same reason stated in the rejection of claim 6.

Regarding claim 16, the claim includes the limitations as that of claim 7, and therefore is interpreted and rejected for the same reason stated in the rejection of claim 7.

Regarding claim 17, the claim includes the limitations as that of claim 1, and therefore is interpreted and rejected for the same reason stated in the rejection of claim 1.

Regarding claim 18, the claim includes the limitations as that of claim 2, and therefore is interpreted and rejected for the same reason stated in the rejection of claim 2.

Regarding claim 19, the claim includes the limitations as that of claim12, and therefore is interpreted and rejected for the same reason stated in the rejection of claim 12.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D. DAO whose telephone number is 571-272-7851. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW ANDERSON can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Minh Dao
AU 2618
May 09, 2006

Matthew Anderson
Superviser AU 2618